

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, NOVEMBER 12, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened 1:30 p.m.

The Chair noted that New Business Item 5L would be heard after Item 3 - Claims.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 5, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

MOTION: Heier moved and Campbell seconded approval of the minutes of the Board of Commissioners meeting dated November 5, 2002. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

A. Bob VanValkenberg, 7921 Reno Road, Lincoln, Nebraska, appeared and expressed his concerns regarding the award of bid for requests for proposals relating to promotional services to attract visitors and tourism to the County. He asked the Board to use caution in making their decision.

2) **PUBLIC COMMENT CONTINUED:**

B. Craig Groat, 4935 Huntington, Lincoln, Nebraska, appeared and expressed his concerns regarding the Weed Control Superintendent and raising the height of weeds from six to twelve inches, noting that he feels it will be harmful to the City.

Offered and submitted into the record by Groat were the following documents:

- ▶ *Harming Lincoln with Weeds* (Exhibit 1)
- ▶ A copy of the current City code with attachments (Exhibit 2)

3) **CLAIMS:** Approval of all claims processed through Tuesday, November 12, 2002.

MOTION: Heier moved and Campbell seconded approval of all claims processed through November 12, 2002. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

NEW BUSINESS ITEM 5L:

Dennis Banks, Director of the Juvenile Detention Center, introduced and presented a plaque to Bill Bryant, outgoing chair of the advisory committee. Also introduced by Banks was Sherry Manning, the newly elected chair of the advisory committee.

Appointment of the following individuals to the Juvenile Detention Center Advisory Committee for two year terms, commencing January 1, 2003:

- ▶ Sheila Kadoi, Lincoln YWCA
- ▶ Andrea Snowden, Public Defender's Office
- ▶ Lt. Mark Funkhouser, Nebraska State Patrol
- ▶ Bill Janike, Child Guidance Center
- ▶ Danelle Reed, Juvenile Probation Office
- ▶ Holly Ha Le, Asian Community and Cultural Center
- ▶ Terry Macholan, Lincoln Public Schools
- ▶ David Rowe, Kinsey, Ridenow, Becker & Kistler, Attorneys
- ▶ Michelle Miklos, CenterPointe
- ▶ Dean Settle, Community Mental Health Center
- ▶ Dan Packard, County Attorney's Office

NEW BUSINESS ITEM 5L CONTINUED:

MOTION: Campbell moved and Stevens seconded approval of the appointments to the Juvenile Detention Center Advisory Committee for two year terms, beginning January 1, 2003. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. A request to vacate a portion of a County road located on Madison Street south of "A" Street adjacent to Lot 19 in the northwest quarter of Section 31, Township 10 North, Range 8 East of the 6th P.M. in Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify in favor of the request to vacate.

Matt Graham, petitioner, briefly reviewed documentation distributed (Exhibit 3). He stated he wasn't requesting the entire road be closed, but is requesting the west 18 feet of Madison Street be vacated.

Graham stated he felt the attachment of the reversion clause to the deed was not standard language in a street vacation. He added that the reversionary clause would make it difficult to obtain financing, insurance and building permits for the property.

Discussion followed regarding the attachment of a reversion clause.

Stevens asked Larry Worrell, County Surveyor, if deeding away six feet would allow for a future street of 60 feet.

Worrell responded yes.

Stevens stated it was conceivable for 66 feet of the road to be vacated and the remaining 12 feet be retained with a reversionary provision, however, it would not match the lot to the north which has an 18 foot reversionary clause.

Worrell agreed.

4) **PUBLIC HEARINGS CONTINUED:**

Campbell asked if it was important for future use that the line remain consistent.

Worrell stated yes.

Mike DeKalb, Planning Department, concurred that it is important for future use to keep the reversion consistent.

David Johnson, Deputy County Attorney, requested that the following be made a part of the record:

- ▶ Documentation submitted by the petitioner (Exhibit 3)
- ▶ County Board Factsheet (Exhibit 4)
- ▶ Photo submitted by the County Engineering Department (Exhibit 5)

The Chair asked if anyone wished to testify in opposition or in a neutral position.

No one appeared and the public hearing was closed.

The County Board will take action on Tuesday, November 19, 2002.

B. Use of Lot 111, Irregular Tract located in the southwest quarter of Section 35, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska to be used in an exchange for properties owned by B & J Partnership, Ltd., located at 902 "K" Street and 400 South 9th Street.

The Chair indicated that Larry Worrell, County Surveyor, had presented a map of the area to the County Board and opened the public hearing for testimony in favor, opposition or in a neutral position to the proposal.

David Johnson, Deputy County Attorney, requested that the map presented by the County Engineering Department be made a part of the record for the purpose of the public hearing (Exhibit 6).

Campbell referred to Exhibit 6, noting that the lot runs into the right-of-way, and asked Don Killeen, Property Manager, if the County would retain an easement.

Killeen stated there would be a permanent easement retained back to the City.

There being no other testimony, the Chair closed the public hearing.

5) **NEW BUSINESS:**

- A. Authorization to exchange County property legally described as Lot 111, Irregular Tract located in the southwest quarter of Section 35, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, for properties owned by B & J Partnership, Ltd., located at 902 "K" Street and 400 South 9th Street.**

MOTION: Campbell moved and Heier seconded to approve authorization to exchange County property legally described as Lot 111, Irregular Tract located in the southwest quarter of Section 35, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, for properties owned by B & J Partnership, Ltd., located at 902 "K" Street and 400 South 9th Street. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- B. An agreement with ServiceLinc for the provision of employment services to persons referred to them by the Lancaster County Community Mental Health Center with serious mental disorders in an effort to impact symptoms and functioning of those individuals. The term of the agreement is September 1, 2002 to June 30, 2003. The County shall pay up to \$25,060 for the services. (C-02-0555)**

MOTION: Campbell moved and Heier seconded approval of an agreement with ServiceLinc for the provision of employment services to persons referred to them by the Lancaster County Community Mental Health Center with serious mental disorders in an effort to impact symptoms and functioning of those individuals. The term of the agreement is September 1, 2002 to June 30, 2003. The County shall pay up to \$25,060 for the services.

Johnson requested that he be allowed to add a Subsection 12 to the agreement regarding the unavailability of funding.

Both the maker of the motion and the seconder agreed to allow the addition of Subsection 12.

ROLL CALL: Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- C. An agreement with the Nebraska Department of Education, Vocational Rehabilitation for employment services in the area of career planning, job placement services and job exploration. The term of the agreement is September 1, 2002 to June 30, 2003. Vocational Rehabilitation shall contribute \$14,000 to the County for the provision of these services. The County is responsible for another \$14,000 in matching funds. (C-02-554)**

Denise Bulling, Special Project Coordinator at the Community Mental Health Center, explained that \$7,000 of the \$14,000 is County money. The remaining \$7,000 comes from Region V.

MOTION: Hudkins moved and Stevens seconded approval of an agreement with the Nebraska Department of Education, Vocational Rehabilitation for employment services in the area of career planning, job placement services and job exploration. The term of the agreement is September 1, 2002 to June 30, 2003. Vocational Rehabilitation shall contribute \$14,000 to the County for the provision of these services. The County is responsible for another \$14,000 in matching funds. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- D. A contract with Alternative Business Systems to provide cost-per-copy photocopy services for a City-County centrally managed program. The City-County Purchasing Department will pay \$0.0184 per copy for all copies produced on the program by one consolidated central bill. The Purchasing Department will then bill back each user at a rate of \$0.02 to cover the cost of administering the program. All users will provide their own paper on the new contract. Term of the agreement is January 1, 2003 to December 31, 2006, with an option to renew for three additional one year periods. (Exhibits and attachments are on file in the County Clerk's Office) (C-02-0558)**

MOTION: Heier moved and Campbell seconded approval of a contract with Alternative Business Systems to provide cost-per-copy photocopy services for a City-County centrally managed program. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- E. An agreement with Theisen Construction, Inc. of Norfolk, Nebraska, for repair of County Structure B-230 (Project 03-16). The structure is generally located in the area of North 84th Street and Ashland Road. The County will pay \$16,630 for repair of the structure. The work is to be completed by November 29, 2002. (C-02-0557)**

MOTION: Hudkins moved and Campbell seconded approval of an agreement with Theisen Construction, Inc. of Norfolk, Nebraska, for repair of County Structure B-230 (Project 03-16). The structure is generally located in the area of North 84th Street and Ashland Road. The County will pay \$16,630 for repair of the structure. The work is to be completed by November 29, 2002. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- F. An amendment to an interlocal agreement with the City of Lincoln for the Lincoln Emergency Communications Center, commonly known as Lincoln 911. The changes to the agreement are the inclusion of Rural Fire/EMS agencies with membership in the Lancaster County Mutual Aid Association and the provision of services in the area of receipt and processing of calls for service from the public and user agencies. The amendment also removes the responsibility for operation of Criminal Justice Information System (CJIS) and LETS terminals. (C-02-0556)**

MOTION: Campbell moved and Stevens seconded approval of an amendment to an interlocal agreement with the City of Lincoln for the Lincoln Emergency Communications Center, commonly known as Lincoln 911. The changes to the agreement are the inclusion of Rural Fire/EMS agencies with membership in the Lancaster County Mutual Aid Association and the provision of services in the area of receipt and processing of calls for service from the public and user agencies. The amendment also removes the responsibility for operation of Criminal Justice Information System (CJIS) and LETS terminals. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

G. A Federal Annual Certification Report for funds received and expended by the Lancaster County Attorney's Office under the federal equitable sharing program.

MOTION: Heier moved and Hudkins seconded approval of the Federal Annual Certification Report for funds received and expended by the Lancaster County Attorney's Office under the federal equitable sharing program.

H. Renewal of a group application with EyeMed, for voluntary eye care benefits for County employees, effective the calendar year beginning January 1, 2003.

MOTION: Heier moved and Campbell seconded approval of renewal of a group application with EyeMed, for voluntary eye care benefits for County employees, effective the calendar year beginning January 1, 2003.

Bill Kostner, Risk Manager for City of Lincoln, briefly described the benefits offered by EyeMed.

ROLL CALL: Campbell, Heier, Stevens, Workman and Hudkins voted aye.
Motion carried.

I. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Land Construction, Inc., in the amount of \$17,864.39, to provide channel protection at County Bridge Y-74, located at 148th Street and Pella Road. (B-02-0039)

MOTION: Campbell moved and Heier seconded to award a bid to Land Construction, Inc., in the amount of \$17,864.39, to provide channel protection at County Bridge Y-74, located at 148th Street and Pella Road. Hudkins, Campbell, Stevens, Heier and Workman voted aye.
Motion carried.

5) **NEW BUSINESS CONTINUED:**

- J. Recommendation from the Purchasing Agent and the County Sheriff to award an order from a State of Nebraska contract (CA#5854) to Anderson Ford, in the total amount of \$44,068, for two, 2002 Ford LTD Crown Victoria police pursuit vehicles. (B-02-0040)**

In response to a question asked by Stevens regarding the year of the vehicles, Bill Jarrett, Chief Deputy Sheriff, stated they are 2003's, not 2002's.

MOTION: Campbell moved and Hudkins seconded approval to award an order from a State of Nebraska contract (CA#5854) to Anderson Ford, in the total amount of \$44,068, for two, 2003 Ford LTD Crown Victoria police pursuit vehicles. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- K. Approval of the following recommendations from the Personnel Policy Board:**

- ▶ Amend Rule 14.3 of the Personnel Rules - Retirement
- ▶ Amend Rule 19.12 of the Personnel Rules - Requirements as to Continuous Service
- ▶ Amend Commercial Driver's License and Driver's License Personnel Policy Bulletin

MOTION: Stevens moved and Heier seconded approval of the following recommendations from the Personnel Policy Board: amend Rule 14.3 of the Personnel Rules - Retirement, amend Rule 19.12 of the Personnel Rules - Requirements as to Continuous Service and amend Commercial Driver's License and Driver's License Personnel Policy Bulletin. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

- L. Appointment of the following individuals to the Juvenile Detention Center Advisory Committee for two year terms, commencing January 1, 2003:**

- ▶ Sheila Kadoi, Lincoln YWCA
- ▶ Andrea Snowden, Public Defender's Office
- ▶ Lt. Mark Funkhouser, Nebraska State Patrol
- ▶ Bill Janike, Child Guidance Center
- ▶ Danelle Reed, Juvenile Probation Office
- ▶ Holly Ha Le, Asian Community and Cultural Center
- ▶ Terry Macholan, Lincoln Public Schools

5) **NEW BUSINESS CONTINUED:**

- ▶ David Rowe, Kinsey, Ridenow, Becker & Kistler, Attorneys
- ▶ Michelle Miklos, CenterPointe
- ▶ Dean Settle, Community Mental Health Center
- ▶ Dan Packard, County Attorney's Office

This item was previously acted upon.

M. Award of bid for request for proposals: Specification No. 02-106 for promotional services to attract visitors and tourism to Lancaster County.

The following individuals appeared in support of awarding the bid for request for proposal to the Lincoln Chamber of Commerce:

- ▶ Ron Sorensen, General Manager of Country Inn and Suites
- ▶ Randy Shoemaker, Cobbler Inn Motel
- ▶ Pat Hardesty, Inn 4 Less Motel
- ▶ Mickey Smith, Town House Mini-Suites Motel

Appearing in support of a change were the following individuals:

- ▶ Craig Groat, 4935 Huntington, Lincoln, Nebraska
- ▶ Linnie Green, Embassy Suites
- ▶ Jeff Ward, Holiday Inn Downtown

Extensive discussion took place with the Lincoln Convention and Visitors Bureau (CVB) and Star City Communication regarding additional revenue, increased communication, additional forums, reduction in administrative costs, operation of a non-profit organization versus the operation of a for profit organization and sales experience in the hospitality industry. Also discussed were partnerships with the CVB, improving relationships with various organizations and continuing efforts to keep State championships (athletic events) in Lincoln and Lancaster County.

MOTION: Hudkins moved and Heier seconded to accept the recommendation of the citizens review committee and award the contract to Star City Communication. Hudkins and Heier voted aye. Workman, Campbell and Stevens voted no. Motion failed.

5) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Stevens seconded to negotiate with the Lincoln Chamber of Commerce for the contract of the Convention and Visitors Bureau. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Clerk's Monthly Report for October, 2002.
2. Lancaster County Engineer's Quarterly Report for July, 2002 through September, 2002 for the Geographic Information System (GIS) Division.
3. Lancaster County Engineer's Quarterly Report for July, 2002 through September, 2002.
4. Lancaster Manor's Monthly Report.
5. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for October, 2002.
6. Noxious Weed Control Authority's Monthly Report for October, 2002.
7. Records and Information Management's Monthly Report for October, 2002.

B. Setting of a public hearing for Tuesday, December 10, 2002 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding an application for Corporate Manager for Jeffrey J. Mann and a Class B (Beer Off Sale Only) liquor license for MMG Properties, LLC d/b/a The C-Station #103 (formerly known as Big Daddy's Stop) located at 8805 Highway 6 in Lancaster County, Nebraska.

MOTION: Heier moved and Campbell seconded approval of the Consent Items. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

7) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 4:26 p.m. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 12, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Rob Ogden, Chief Deputy County Assessor
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 4:26 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 5, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Equalization dated November 5, 2002. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 25 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Heier moved and Stevens seconded approval of the additions and deductions. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Lincoln Medical Education Foundation
Sisters of Mary Queen of Mercy
Southeast Nebraska Mobile Diagnostic Services, Inc.
Tabitha Inc.**

MOTION: Campbell moved and Heier seconded to accept the County Treasurer's recommendation and deny the motor vehicle tax exemption for Lincoln Medical Education Foundation because it was untimely filed. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

MOTION: Campbell moved and Stevens seconded approval of motor vehicle tax exemptions for Sisters of Mary Queen of Mercy and Tabitha Inc. and to also approve a motor vehicle tax exemption for Southeast Nebraska Mobile Diagnostic Services, Inc. subject to the vehicle being titled and registered to the applicant. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

5) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

Hartland Homes Inc.

Rob Ogden, Chief Deputy County Assessor, recommended a new value of \$451,110 be set for Hartland Homes Inc.

MOTION: Campbell moved and Heier seconded to accept the recommendation of the Chief Deputy County Assessor and set a new value of \$451,110 for Hartland Homes Inc. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved and Hudkins seconded adjournment of the Board of Equalization at 4:35 p.m. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk